

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Richard France, et al.) Group Art Unit: 1636
)
Serial No. 10/550,151) Examiner: To be assigned
)
Filed: September 20, 2005)
For: POROUS MATRIX)
)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR Sections 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. Copies of the foreign patent publications are enclosed for the examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR 1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR 1.97(h)), or even qualifies as "prior art" under 35 USC 102 with respect to this invention unless specifically designated by Applicant as such.

FILING PROVISION

This IDS is believed to be timely and is submitted under 37 CFR 1.97(b)(3) before the mailing of a first Office Action on the merits. However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c).

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

No fees are required with this filing under 37 CFR 1.97(b)(3), however, if applicant is incorrect in this regard or if the filing is accepted under 37 CFR 1.97(c), the Commissioner is hereby authorized to charge any fees required by the filing of these papers to Procopio's Deposit Account No. **50-2075**.

Respectfully submitted,

Dated: 10/24/2006

By:


Patric J. Rawlins
Reg. No. 47,887

Procopio, Cory, Hargreaves & Savitch LLP
530 B Street, Suite 2100
San Diego, California 92101
(619) 238-1900

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		ATTY. DOCKET NO. 113046-003	SERIAL NO. 10/550,151
		APPLICANT: Richard Melville France, et al.	
		FILING DATE: 09-20-2005	GROUP: 1636

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number Number-Kind Code	Publication Date/ Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	4938763	07-03-1990	Dunn et al.	
	AB	4997443	03-05-1991	Walthal et al.	
	AC	5077049	12-31-1991	Dunn et al.	
	AD	5278201	01-11-1994	Dunn et al.	
	AE	5278202	01-11-1994	Dunn et al.	
	AF	5324519	06-28-1994	Dunn et al.	
	AG	5340849	08-23-1994	Dunn et al.	
	AH	5368859	11-29-1994	Dunn et al.	
	AI	5487897	01-30-1996	Polson et al.	
	AJ	5502092	03-26-1996	Susko et al.	
	AK	5599552	02-04-1997	Dunn et al.	
	AL	5632727	05-27-1997	Tipton et al.	
	AM	5650176	07-22-1997	Lee et al.	
	AN	5660849	08-26-1997	Polson et al.	
	AO	5667778	09-16-1997	Atala	
	AP	5676976	10-14-1997	Lee et al.	
	AQ	5677284	10-14-1997	Li	
	AR	5683461	11-04-1997	Lee et al.	
	AS	5702716	12-30-1997	Tipton et al.	
	AT	5709854	01-20-1998	Griffith-Cima et al.	
	AU	5725491	03-10-1998	Tipton et al.	
	AV	5733950	03-31-1998	Tipton et al.	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

¹Applicant is to place a check mark here if English language translation is attached.

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.

113048-003

SERIAL NO.

10/550,151

APPLICANT:

Richard Melville France, et al.

FILING DATE:

09-20-2005

GROUP:

1636

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number	Publication Date/ Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code			
	AW	5739176	04-14-1998	Dunn et al.	
	AX	5976526	11-02-1999	Atala	
	AY	6027742	02-22-2000	Lee et al.	
	AZ	6060053	05-09-2000	Atala	
	BA	6071530	06-06-2000	Polson et al.	
	BB	6117456	09-12-2000	Lee et al.	
	BC	6129761	10-10-2000	Hubbell	
	BD	6132463	10-17-2000	Lee et al.	
	BE	6139578	10-31-2000	Lee et al.	
	BF	6143293	11-07-2000	Weiss et al.	
	BG	6214368 B1	04-10-2001	Lee et al.	
	BH	6224893	05-01-2001	Langer et al.	
	BI	6277151 B1	06-21-2001	Lee et al.	
	BJ	2001016772 A1	08-23-2001	Lee et al.	
	BK	6287341 B1	09-11-2001	Lee et al.	
	BL	6306169 B1	10-23-2001	Lee et al.	
	BM	6331312	12-18-2001	Lee et al.	
	BN	2001055588 A1	12-27-2001	Griffith-Cima et al.	
	BO	2002001608 A1	01-03-2002	Polson et al.	
	BP	20020076443A1	01-20-2002	Stein et al.	
	BQ	6376742 A	04-23-2002	Zdrahalo et al.	
	BR	2002055143 A1	05-09-2002	Bell et al.	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

Applicant is to place a check mark here if English language translation is attached.

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.
113046-003SERIAL NO.
10/550,151

APPLICANT:

Richard Melville France, et al.

FILING DATE:

09-20-2005

GROUP:

1636

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number	Publication Date/ Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code			
	BS	6395293B2	05-28-2002	Polson et al.	
	BT	2002136696 A1	09-26-2002	Lee et al.	
	BU	2002155167 A1	10-24-2002	Lee et al.	
	BV	2002155137 A1	10-24-2002	Lee et al.	
	BW	6471993 A	10-29-2002	Shastri et al.	
	BX	20020164374A1	11-07-2002	Jackson et al.	
	BY	2003023316 A1	01-30-2003	Brown et al.	
	BZ	2003021827 A1	01-30-2003	Malaviya et al.	
	CA	2003032961 A1	02-13-2003	Pelo et al.	
	CB	2003033022 A1	02-13-2003	Plouhar et al.	
	CC	2003033021 A1	02-13-2003	Plouhar et al.	
	CD	2003036797 A1	02-20-2003	Malaviya et al.	
	CE	2003036801 A1	02-20-2003	Schwartz et al.	
	CF	2003044444 A1	03-06-2003	Malaviya et al.	
	CG	2003049299	03-13-2003	Malaviya et al.	
	CH	6541037 B1	04-01-2003	Lee et al.	
	CI	6544290 B1	04-08-2003	Lee et al.	
	CJ	2003078617 A1	04-24-2003	Schwartz et al.	
	CK	2003082232 A1	05-01-2003	Lee et al.	
	CL	2003104031 A1	06-05-2003	Dumont et al.	
	CM	6638312 B2	10-28-2003	Plouhar et al.	
	CN	2003215946 A1	11-20-2003	Nair et al.	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

Applicant is to place a check mark here if English language translation is attached.

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

ATTY. DOCKET NO.
113016-003

SERIAL NO.
10/EE0 1E1

APPLICANT:

FILING DATE: 09-29-2005 **GROUP:** 1600

U.S. PATENT DOCUMENTS

EXAMINER:

DATE CONSIDERED:

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

Applicant is to place a check mark here if English language translation is attached.

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.
113046-003SERIAL NO.
10/550,151APPLICANT:
Richard Melville France, et al.FILING DATE:
09-20-2005GROUP:
1636

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ¹
DH	GB215832D D0	02-14-1923	Akay Galip			
DI	WO9101126 A1	02-07-1991	Atrix Laboratories, Inc.			
DJ	EP0484387 B1	05-13-1992	Vipont Pharmaceutical, Inc.			
DK	EP0539751 B1	10-01-1992	Atrix Laboratories, Inc.			
DL	EP0649662 B1	08-14-1994	Atrix Laboratories, Inc.			
DM	WO9425080 A1	11-10-1994	Massachusetts Inst Technology			
DN	WO9610428 A1	04-11-1996	Otogen Corp.			
DO	WO9610374 A1	04-11-1996	Otogen Corp.			
DP	DE69626979T T2	05-20-1996	Li, Shu-Tung, Oakland			
DQ	WO9636562 A1	11-21-1996	Etex corp.			
DR	WO9639159 A1	12-12-1996	Regen Biologics, Inc.			
DS	WO9640304 A1	12-19-1996	Reprogenis Inc.			
DT	EP0784490 B1	07-23-1997	Cohesion Technologies, Inc.			
DU	EP0831867 B1	01-04-1998	Regen Biologics, Inc.			
DV	WO9816209 A3	04-23-1998	Etex Corp.			
DW	WO9816268 A3	04-23-1998	Etex Corp.			
DX	WO9840111 A1	09-17-1998	University College London			
DY	WO9852543 A1	11-26-1998	Massachusetts Inst Technology			
DZ	WO9909149 A9	02-25-1999	Massachusetts Institute Of Technology			
EA	WO9911196 A1	03-11-1999	Point Biomedical Corp			
EB	WO9921908 A1	05-06-1999	Angiotech Pharmaceuticals, Inc.			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

Applicant is to place a check mark here if English language translation is attached.

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.
113046-003SERIAL NO.
10/550,151APPLICANT:
Richard Melville France, et al.FILING DATE:
09-20-2005GROUP:
1636

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T1
	EC	WO9925391	05-27-1999	Bonetec Corp.		
	ED	EP0836928 B1	08-25-1999	Etex Corp.		
	EE	WO9948541A1	09-30-1999	University Of Pittsburgh		
	EF	DE19956503 A1	11-24-1999	Universitaetsklinikum Freiburg (DE)		
	EG	WO0007639 A1	02-17-2000	Tissue Eng Inc.		
	EH	WO0015194 A1	03-23-2000	Etex Corp.		
	EI	WO0034454 A3	06-15-2000	The University of New Castle		
	EJ	WO0138428 A1	05-31-2001	University of Nottingham		
	EK	EP1231947 B1	05-31-2001	Universitaetsklinikum Freiburg		
	EL	WO0137889 A3	05-31-2001	Universitaetsklinikum Freiburg		
	EM	EP1147781 B1	10-24-2001	Atrix Laboratories, Inc.		
	EN	WO0064977	11-02-2000	California Inst. of Tech		
	EO	WO0197865 A3	12-27-2001	University of Medicine and Dentistry of NJ		
	EP	WO0200275 A1	01-03-2002	Victrex Mfg Ltd		
	EQ	EP1177800 B1	06-02-2002	Depuy Orthopaedics, Inc.		
	ER	WO02058754 A1	08-01-2002	Shirandami Roozbeh		
	ES	GB2370777 B	10-07-2002	Shirandami Roozbeh		
	ET	WO03007789 A3	01-30-2003	Depuy Products, Inc.		
	EU	WO03007839 A3	01-30-2003	Depuy Products, Inc.		
	EV	WO03007790 A3	01-30-2003	Depuy Products, Inc.		
	EW	WO03007786 A2	01-30-2003	Depuy Products, Inc.		

EXAMINER:

DATE CONSIDERED:

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

Applicant is to place a check mark here if English language translation is attached.

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.
113046-003SERIAL NO.
10/550,151APPLICANT:
Richard Melville France, et al.FILING DATE:
09-20-2005GROUP:
1636

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ¹
	EX	WO03007784 A3	01-30-2003	Depuy Products, Inc.		
	EY	WO03007787 A3	01-30-2003	Depuy Products, Inc.		
	EZ	WO03007879 A3	01-30-2003	Depuy Products, Inc.		
	FA	WO03007805 A3	01-30-2003	Depuy Products, Inc.		
	FB	WO03007788 A3	01-30-2003	Depuy Products, Inc.		
	FC	WO03007847 A1	01-30-2003	Depuy Products, Inc.		
	FD	WO03022319 A1	03-20-2003	Isis Innovation Limited		
	FE	WO03024316 A2	03-27-2003	Stryker Corp.		
	FF	WO03045351 A1	06-05-2003	Pfizer Inc.		
	FG	WO03047647 A1	06-12-2003	University College London		
	FH	WO03053216 A3	07-03-2003	Univ. of Washington		
	FI	WO04005355 A1	01-15-2004	Akay Galip		
	FJ	WO04009227A3	01-29-2004	Commonwealth Scientific And Industrial Research Organisation		
	FK	DE69626979D D1	02-19-2004	Regen Biologics, Inc.		
	FL	EP1554989 A1	12-23-2004	Depuy Products, Inc.		
	FM	DE69433843 T2	06-23-2005	Atrix Laboratories, Inc.		
	FN	DE69729647T T2	07-07-2005	Etex Corp.		
	FO	DE69533404T T2	09-08-2005	Cohesion Technologies, Inc.		
	FP	WO05086706 A3	09-22-2005	The Trustees Of Columbia University In The City Of New York		
	FQ	DE60108818T T2	02-09-2006	Depuy Orthopaedics, Inc.		

EXAMINER:

DATE CONSIDERED:

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

Applicant is to place a check mark here if English language translation is attached.

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.
113046-003SERIAL NO.
10/550,151APPLICANT:
Richard Melville France, et al.FILING DATE:
09-20-2005GROUP:
1636

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ¹
	FR	WO06082442 A1	08-10-2006	Orthogem Limited		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹

EXAMINER:

DATE CONSIDERED:

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

¹Applicant is to place a check mark here if English language translation is attached.